



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: November 3, 2004

REPORT NO. HO-0168

ATTENTION: Hearing Officer

SUBJECT: COASTAL PRIDE TOWING CONDITIONAL USE PERMIT
PROJECT NUMBER: 42199

LOCATION: 3146 Moore Street

APPLICANT: Robert Burns

SUMMARY

Requested Action - Should the Hearing Officer approve Conditional Use Permit (CUP) 21007 to amend CUP 40-0367 to expand an existing towing yard storage operation from 7,500 square feet to 15,000 square feet?

Staff Recommendation - Approve Conditional Use Permit No. 21007 to Amend CUP 40-0367.

Community Planning Group Recommendation – On September 8, 2004 the Midway Community Planning Advisory Committee voted 8-0-0, to approve a 5 year CUP without conditions.

Environmental Review – The project has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines.

BACKGROUND

Coastal Pride Towing currently operates a storage yard under Conditional Use Permit 40-0367 for towed vehicles. The existing CUP was approved as a Process 3 (Hearing Officer) action on September 27, 2000 with no speakers in opposition. The proposal under consideration at this time is to expand the current use to the adjacent lots.

The site is a 7,500 square foot site at 3140 Moore Street in the CC-4-2 Zone within the Midway Pacific Highway Community Plan, North Bay Redevelopment Project Area, Airport Approach Overlay Zone, Coastal Height Limit, Council District 2. The Applicant wishes to expand the capacity of the existing operation by using the adjacent 7,500 square foot lot at 3146 Moore Street. The lot is currently paved and vacant except for an approximately 870 square foot one-

story vacant office building. The only new construction required to expand operations would be for provision of a drainage catch basin and sidewalk underdrain to provide adequate site drainage to ensure compliance with the storm water standards.

DISCUSSION

The project proposes to expand the capacity to store towed vehicles from the current 7,500 square foot lot to a total of 15,000 square feet by occupying the adjacent vacant 7,500 square foot lot. Staff is able to support this requested use and has resolved issues regarding configuration of on-site parking, landscaping, and operations. The primary project issue was whether public improvements were required at this time as further explained below.

Public Improvements:

City staff and management conducted a Conflict Resolution Meeting to clarify the requirements for public improvements of curb, gutter, sidewalk, and associated landscaping such as street trees. The existing CUP recognizes that it would have been an unreasonable hardship on the applicant to install public improvements on the existing 50 feet of street frontage along Moore Street. The existing CUP recognized that future redevelopment of the site would invoke the need for full public improvements. Management and staff have agreed that public improvements are warranted at this location since the requested expansion of operations would include the corner lot thereby increasing the street frontage to 100 feet along Moore Street and adding 150 feet of frontage along Riley Street. However, recognizing the hardship on the applicant to install the improvements at this time, management concluded that if the full public improvements are installed satisfactory to the City Engineer at the end of this 5 year CUP, the CUP would automatically be renewed for another 5 years. Therefore, the expense of processing a CUP amendment could be applied to the public improvements rather than spent on staff review and renewal of the CUP. This approach is supported by staff including Planning Department Long Range Planning staff and Redevelopment Agency staff who agree that future redevelopment will occur in this area and do not want to grant indefinite operations for a towing storage yard at this location so as not to limit options for future redevelopment of this area.

Municipal Code:

The project is located within the CC-4-2 (community commercial) zone. The purpose of this zone is to accommodate community-serving commercial services, retail uses, and limited industrial uses including auto-oriented commercial. The CC-4-2 zone specifically allows for heavy commercial use for development with high intensity and strip commercial characteristics. Impound storage yards are allowed by a Conditional Use Permit as specified in Table 131-05B.

Impound Storage Yards are a separately regulated use in Chapter 14, Article 1, Division 9 beginning with 141.0901 subject to the following.

- (a) Storage of the following vehicles may be permitted: motor vehicles that are being held in legal custody and incidental storage of other vehicles and tow equipment

- (b) Automobile access to the facility shall be at points of low pedestrian activity and shall be located away from any adjacent residentially zoned property.
- (c) The facility shall be screened from adjacent development and from the public right-of-way by fences or walls and landscaping.
- (d) Limitations on the operation of the facility will be imposed by the decision maker to minimize impacts on surrounding development from noise and lights.
- (e) Measures shall be taken to ensure that the ground water table is not adversely affected by the increase of impermeable surfaces due to the development of the facility.
- (f) Measures shall be taken to ensure that water quality is not adversely affected by runoff containing fuel and lubricants or other pollutants.

The project meets these Code requirements as follows:

- (a) The CUP would continue to allow for storage of the motor vehicles that are being held in legal custody and incidental storage of other vehicles and tow equipment.
- (b) Automobile access to the facility will be provided from both frontages along Riley and Moore streets. Both pedestrian and traffic use are limited in this area to local users of adjacent commercial/industrial operations. No residentially-zoned areas exist near the project location.
- (c) The facility shall be screened from adjacent development and from the public right-of-way by fences and landscaping.
- (d) Operation of the facility is allowed to be conducted 24 hours/day as there are no surrounding residential development.
- (e) Ground water would not be adversely affected due to the stormwater pollution prevention measures required to capture and control surface runoff and convey it to a filtered catch basin prior to discharge from the site.
- (f) Ground water would not be adversely affected due to the stormwater pollution prevention measures required to capture and control surface runoff and convey it to a filtered catch basin prior to discharge from the site.

Parking:

The proposed site plan limits parking of stored vehicles to the rear (northerly) portion of the lot. Vehicles would be positioned in the storage areas by way of a fork lift; therefore drive isles and standard parking stalls are not required to be dimensioned on the plans. Driveway entry onto the site is to be provided by two existing curb cuts, one along Moore Street, and the other along Riley Street. Parking for six on-site vehicles is proposed which includes parking for tow trucks, employees, and customers visiting the site to pick up an impounded vehicle.

Landscaping:

The project includes landscape screening with vines along the perimeter fencing including use of trumpet vine, honeysuckle, and bougainvillea. An existing shade cloth provides for visual screening. As a permit condition, the shade cloth will be either maintained or replaced with slats.

Community Plan:

The project is within the Midway/Pacific Highway Corridor Community Plan and Local Coastal Program Land Use Plan, adopted May 28, 1991 by the San Diego City Council and amended by the San Diego City Council on January 19, 1999. The project has been determined to be consistent with the community plan which designates the area as community commercial (Figure 11, page 48) and the site as the Camino del Rio commercial and transitional Area (Light Industrial to Retail) as shown in Figure 10 (page 41) of the Community Plan. This area is industrially zoned and contains older industrial buildings and warehouses. Land uses include a commercial strip with automobile-oriented sales and service yards, fast food, retail shops, and adult entertainment businesses. The community plan notes (p. 42) that this area generally lacks landscaping, adequate parking, and sign control.

The project conforms to the goals of the community plan as follows. The project would provide enhanced landscaping and screening to visually separate the storage yard from public view. The project would provide for off-street parking in an area that characterized by lack of adequate parking. The project would provide for use of a currently vacant parcel with 24/hour human presence.

The proposed development is consistent with the surrounding businesses which consist of storage yards, automobile repair shops, and car rental facilities.

The existing community plan is currently undergoing update in coordination with the draft North Bay Conceptual Plan -- a vision for the Midway Area developed by the North Bay business community. The Project has also been reviewed for consistency with this draft plan.

The project location would be near the proposed I-8 portal entrance into the North Bay area. However, the project location is at Moore and Riley, and not on El Camino del Rio W. which connects with the I-8 off-ramp at the proposed portal location.

Redevelopment Project Area:

The project area is within the Redevelopment Area of the North Bay Revitalization project. As previously analyzed in the North Bay Environmental Impact Report (EIR), the project fits the broader redevelopment goals of the project area to eliminate and prevent the spread of urban blight and deterioration by maintaining and enhancing an active human presence. The project would not limit future potential redevelopment use of the area as the CUP is limited and subject to future review.

Affordable Housing:

This project is not subject to the Affordable Housing Ordinance as no dwelling units are either existing or proposed.

Conclusion:

In summary, staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted Midway / Pacific Highway Community Plan, the CC-4-2 Zone, the North Bay Redevelopment Project Area, and the City of San Diego Progress Guide and General Plan.

ALTERNATIVES

1. Approve Conditional Use Permit 21007 thereby amending CUP 40-0367 with modifications.
2. Deny Conditional Use Permit 21007 thereby not amending CUP 40-0367.

Respectfully submitted,

Cory Wilkinson, Development Project Manager

Attachments:

1. Site Location
2. Aerial Photo (1999)
3. Community Plan Land Use Map
4. North Bay Redevelopment Map
5. Zone Map
6. Project Data Sheet
7. Project Plans
8. Conditional Use Permit 40-0367
9. Draft Permit with Conditions
10. Draft Resolution with Findings
11. Community Planning Group Recommendation
12. Notice of Public Hearing
13. Ownership Disclosure
14. Project Chronology